

Amendment and Response under 37 C.F.R. 1.116

Applicant: Travis Parry

Serial No.: 10/044,406

Filed: January 11, 2002

Docket No.: 10007328-1

Title: PRINTER SELECTION SYSTEM AND METHOD WITH PRINT REQUEST DISTRIBUTION**REMARKS**

The following Remarks are made in response to the Final Office Action mailed January 13, 2006, in which claims 1-29 were rejected. With this Amendment, claims 1, 13, 17, 19, and 22 have been amended to clarify Applicant's invention. Claims 1-29 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Kageyama et al. U.S. Patent No. 5,625,757.

With this Amendment, independent claims 1 and 13 have each been amended to clarify that the method includes, "after receiving the print request, the one of the printers automatically distributing the print request for the print job from the one of the printers to at least another of the printers associated with the one of the printers," and to clarify that the method includes, "after distributing the print request, determining at the one of the printers and at the at least another of the printers, respectively, whether the one of the printers has a printing capability to fulfill the print job and whether the at least another of the printers has a printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the one of the printers and the printing capability of the at least another of the printers," and to clarify that the method includes "submitting a print offer to the user from the one of the printers for the one of the printers to print the print job if the one of the printers has the printing capability to fulfill the print job and a print offer to the user from the at least another of the printers for the at least another of the printers to print the print job if the at least another of the printers has the printing capability to fulfill the print job."

With this Amendment, independent claim 17 has been amended to clarify that the first controller is adapted to "compare the print request for the print job with a printing capability of the first printer to determine if the first printer has the printing capability to fulfill the print job, wherein the first controller is adapted to automatically distribute the print request for the print job from the first printer to at least a second printer of the plurality of printers," and to clarify that "the first controller is adapted to submit a first print offer to the user for the first printer to print the print job if the first printer has the printing capability to fulfill the print

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job, and the second controller is adapted to submit a second print offer to the user for the second printer to print the print job if the second printer has the printing capability to fulfill the print job."

With respect to the Kageyama et al. patent, this patent does not teach or suggest a method of selecting a printer as claimed in independent claims 1 and 13 including, amongst other things, after receiving a print request at one of the printers, the one of the printers automatically distributing the print request for the print job from the one of the printers to at least another of the printers associated with the one of the printers; after distributing the print request, determining at the one of the printers and at the at least another of the printers, respectively, whether the one of the printers has a printing capability to fulfill the print job and whether the at least another of the printers has a printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the one of the printers and the printing capability of the at least another of the printers; and submitting a print offer to the user from the one of the printers for the one of the printers to print the print job if the one of the printers has the printing capability to fulfill the print job and a print offer to the user from the at least another of the printers for the at least another of the printers to print the print job if the at least another of the printers has the printing capability to fulfill the print job.

In addition, the Kageyama et al. patent does not teach or suggest a system for selecting a printer as claimed in independent claim 17 wherein, amongst other things, a first controller is adapted to compare a print request for a print job with a printing capability of the first printer to determine if the first printer has the printing capability to fulfill the print job, wherein the first controller is adapted to automatically distribute the print request for the print job from the first printer to at least a second printer of the plurality of printers, and the first controller is adapted to submit a first print offer to the user for the first printer to print the print job if the first printer has the printing capability to fulfill the print job, and the second controller is adapted to submit a second print offer to the user for the second printer to print the print job if the second printer has the printing capability to fulfill the print job.

In view of the above, Applicant submits that independent claims 1, 13, and 17 are each patentably distinct from the Kageyama et al. patent and, therefore, are in a condition for allowance. Furthermore, as dependent claims 2-12 further define patentably distinct claim 1,

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dependent claims 14-16 further define patentably distinct claim 13, and dependent claims 18-29 further define patentably distinct claim 17, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 1-29 under 35 U.S.C. 102(e) be reconsidered and withdrawn and that claims 1-29 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 1-29 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Travis Parry,

By,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2006
Facsimile: (612) 573-2005

Date: Mar. 13, 2006
SAL:jan


Scott A. Lund
Reg. No. 41,166

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 13th day of March, 2006.

By 
Name: Scott A. Lund